

THE HONORABLE ROBERT S. LASNIK

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

KAELI GARNER, et al.,

Plaintiffs,

v.

AMAZON.COM, INC., and AMAZON.COM
SERVICES LLC,

Defendants.

Case No. 2:21-cv-00750-RSL

**DECLARATION OF MICHAEL P. CANTY
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION**

Date: October 31, 2024

I, Michael P. Canty, declare as follows:

1. I, Michael P. Canty, am an attorney in good standing admitted pro hac vice before this Court for this action. I am a partner at Labaton Keller Sucharow LLP, and interim Co- Lead Counsel for the Plaintiffs in this matter. I make this declaration based on my personal knowledge in support of Plaintiffs' Motion for Class Certification in the above captioned matter. If called upon to do so, I will testify competently to the facts set forth herein.

2. The Non-Registrant Plaintiffs are members of the state Non-Registrant Classes. Specifically, Plaintiff Kaeli Garner is a member of the California Non-Registrant Class; (2) Plaintiff Michael McNealy is a member of the New Hampshire Non-Registrant Class; (3) Plaintiff Ricky Babani is a member of the Florida Non-Registrant Class; (4) Plaintiff Tesoriero is a member of the Washington Non-Registrant Class; (5) Plaintiff Ronald Johnson is a member of the Pennsylvania

Non-Registrant Class; and (6) Plaintiff Caron Watkins is a member of the Maryland Non-Registrant Class.

3. I certify that the following Table of Exhibits contains a list of true and correct copies of all exhibits attached to this Declaration in support of Plaintiffs' Motion for Class Certification.

TABLE OF EXHIBITS

| Exhibit: _ | Description |
|------------|---|
| A. | Deposition Transcript of David Limp, dated February 13, 2024. |
| B. | The document beginning at bates stamp AMZ_GARNER_01236249. |
| C. | The document beginning at bates stamp AMZ_GARNER_00031485. |
| D. | The document beginning at bates stamp AMZ_GARNER_00048007. |
| E. | Deposition Transcript of Shiv Naga Prasad Vitaladevuni, dated August 31, 2023. |
| F. | The document beginning at bates stamp AMZ_GARNER_00923715. |
| G. | The document beginning at bates stamp AMZ_GARNER_00061171. |
| H. | Deposition Transcript of Nedim Fresko dated, January 31, 2024. |
| I. | The document beginning at bates stamp AMZ_GARNER_00053004. |
| J. | Expert Report of Jonathan Hochman dated June 18, 2024. |
| K. | The document beginning at bates stamp AMZ_GARNER_00056726. |
| L. | Deposition Transcript of Manoj Sindhwani, dated February 22, 2024. |
| M. | Deposition Transcript of Tom Taylor, dated February 8, 2024. |
| N. | The document beginning at bates stamp AMZ_GARNER_00853050. |
| O. | The document beginning at bates stamp AMZ_GARNER_01447707. |
| P. | The document beginning at bates stamp AMZ_GARNER_01633064. |
| Q. | The document beginning at bates stamp AMZ_GARNER_01177920. |
| R. | Plaintiff Kaeli Garner's Amended Interrogatory Responses dated September 5, 2023 (with reference to AMZ_GARNER_AU_00190002). |
| S. | Plaintiff Michael McNealy's Amended Interrogatory Responses dated August 30, 2023 (with reference to AMZ_GARNER_AU_00160478). |

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| 1 | T. | Plaintiff Diane McNealy's Amended Interrogatory Responses dated August 31, 2023 (with reference to AMZ_GARNER_AU_00157724). |
| 2 | | |
| 3 | U. | Plaintiff Ricky Babani's Amended Interrogatory Responses dated July 25, 2023 (with reference to AMZ_GARNER_AU_00165453). |
| 4 | | |
| 5 | V. | Plaintiff Lorelie Tesoriero's Amended Interrogatory Responses dated July 18, 2023 (with reference to AMZ_GARNER_AU_00012367). |
| 6 | W. | Plaintiff Jeffrey Hoyt's Amended Interrogatory Responses dated July 18, 2023 (with reference to AMZ_GARNER_AU_00012612). |
| 7 | | |
| 8 | X. | Plaintiff Ronald Johnson's Fourth Amended Interrogatory Responses dated September 20, 2023 (with reference to AMZ_GARNER_AU_00153924). |
| 9 | Y. | Plaintiff Selena Johnson's Third Amended Interrogatory Responses dated September 20, 2023 (with reference to AMZ_GARNER_AU_00155750). |
| 10 | | |
| 11 | Z. | Plaintiff Caron Watkins' Amended Interrogatory Responses dated January 5, 2024 (with reference to AMZ_GARNER_AU_00165368). |
| 12 | AA. | Plaintiff Jodi Brust's Amended Interrogatory Responses dated July 11, 2023 (with reference to AMZ_GARNER_AU_00015745). |
| 13 | BB. | The document beginning at bates stamp AMZ_GARNER_00426912. |
| 14 | CC. | Deposition Transcript of Beatrice Geoffrin dated February 28, 2024. |
| 15 | DD. | The document beginning at bates stamp AMZ_GARNER_03547366. |
| 16 | EE. | The document beginning at bates stamp AMZ_GARNER_00054031. |
| 17 | FF. | The document beginning at bates stamp AMZ_GARNER_01075072. |
| 18 | GG. | The document beginning at bates stamp AMZ_GARNER_00057934. |
| 19 | HH. | The document beginning at bates stamp AMZ_GARNER_00386864. |
| 20 | II. | The document beginning at bates stamp AMZ_GARNER_01611354. |
| 21 | JJ. | The document beginning at bates stamp AMZ_GARNER_01640580. |
| 22 | KK. | The document beginning at bates stamp AMZ_GARNER_00099263. |
| 23 | LL. | The document beginning at bates stamp AMZ_GARNER_03545510. |
| 24 | MM. | <i>Intentionally left blank.</i> |
| 25 | NN. | The document beginning at bates stamp AMZ_GARNER_00121507. |
| 26 | OO. | The document beginning at bates stamp AMZ_GARNER_03606471. |
| 27 | PP. | Expert Report of David Hoffman dated June 18, 2024. |
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| 1 | QQ. | Defendants' Responses and Objections to Plaintiffs' Requests for Admission (Set One) dated August 16, 2023. |
| 2 | | |
| 3 | RR. | Firm Resume of Labaton Keller Sucharow LLP |
| 4 | SS. | Firm Resume of Robbins Geller Rudman & Dowd LLP |
| 5 | TT. | Firm Resume of Bursor & Fisher, P.A. |
| 6 | UU. | Firm Resume of Lockridge Grindal Nauen P.L.L.P. |
| 7 | VV. | Firm Resume of Zimmerman Reed LLP |
| 8 | WW. | The document beginning at bates stamp AMZ_GARNER_01577625. |
| 9 | XX. | Expert Report of Serge Egelman dated June 18, 2024. |

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
 11 true and correct.

12 Executed this 18th day of June, 2024, in New York, NY.

13 Respectfully Submitted,

14
 15 /s/ Michael P. Canty
 16 Michael P. Canty